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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/004,046	10/24/2001	Kinya Washino	FNI-02604/03	8765

7590 09/27/2005

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EXAMINER

KOSTAK, VICTOR R

ART UNIT PAPER NUMBER

2614

DATE MAILED: 09/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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Pasadena CA 91109-7068

In re Application of)
Kinya Washino, et al.)
Application No. 10/004,046)
Filed: October 24, 2001)
For: **MULTI-FORMAT AUDIO/VIDEO**)
PRODUCTION SYSTEM)

**NOTIFICATION OF
IDENTIFICATION OF PRIOR
ART IN PROTEST UNDER 37
C.F.R. § 1.291(a)**

This notification is in response to a protest filed April 15, 2005.

37 CFR § 1.291 Protests by the public against pending applications, states in part:

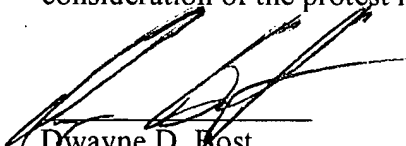
(a) Protests by a member of the public against pending applications will be referred to the examiner having charge of the subject matter involved. A protest specifically identifying the application to which the protest is directed will be entered in the application file if:

- (1) The protest is submitted prior to the date the application was published or the mailing of a notice of allowance under § 1.311, whichever occurs first; and
- (2) The protest is either served upon the applicant in accordance with § 1.248, or filed with the Office in duplicate in the event service is not possible.

MPEP §1441.01 [R-2] Protest in Reissue Applications, states in part:

Since reissue applications are not published under 35 U.S.C. 122, pursuant to 37 CFR 1.291(a)(1), a protest may be filed throughout the pendency of a reissue application prior to the date of mailing of a notice of allowance subject to the timing constraints of the examination, as set forth in MPEP § 1901.04. [emphasis added]

The protest was filed in a reissue application, prior to allowance along with a certificate of service on the cover of the protest. Therefore, the Protest is a proper citation under 37 C.F.R. §1.291(a). It will be entered into the application file and forwarded to the examiner for consideration of the protest in accordance with MPEP §1901.04 and §1901.06.


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